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**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

|                                  |   |                                 |
|----------------------------------|---|---------------------------------|
| <b>UNITED STATES OF AMERICA</b>  | : |                                 |
|                                  | ; |                                 |
| <b>v.</b>                        | : | <b>CRIMINAL NO. 3:23-CR-149</b> |
|                                  | : |                                 |
| <b>NICHOLAS DOMBEK, et. al.,</b> | : | <b>JUDGE MANNION</b>            |
|                                  | : |                                 |
| <b>Defendants.</b>               | : |                                 |

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**MOTION TO WITHDRAW AS COUNSEL**

*AND NOW COMES*, Attorney Bernard J. Brown, Esquire, current counsel for the Defendant, Nicholas Dombek, and hereby files this Motion and avers as follows:

1. Defense Counsel was appointed to represent Defendant, Nicholas Dombek, in this above captioned matter on August 13, 2024.
2. The Defendant was scheduled for trial on October 28, 2024, and Final Pre-Trial scheduled for October 10, 2024, tomorrow, in this case.
3. During trial preparations, the parties discovered that Defense Counsel previously represented a Government Witness in a State matter related to the investigation that led to the eventual the prosecution of the case before this Honorable Court.
4. Government Counsel contacted Defense Counsel immediately upon finding this information out during trial preparations.

5. Defense Counsel consulted with current Counsel for the Government Witness; Defense Counsel has been informed no waiver will be obtained from that former client.
6. Also, Defense Counsel met with the Defendant, and advised his client of the discovered conflict. Again, Defense Counsel met with the Defendant who has informed Defense Counsel that the Defendant feels the conflict does exist.
7. For these reasons, Defense Counsel feels he has no other option but to withdraw from representing the Defendant in this case in the interest of justice.

**WHEREFORE**, Undersigned Counsel respectfully requests that this Honorable Court grant this Motion to Withdraw as Counsel.

Respectfully Submitted,

/s/ Bernard J. Brown, Esq.

BERNARD J. BROWN, ESQUIRE  
Attorney for Defendant